



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable Olin Culbertson, Commissioner  
Railroad Commission of Texas  
Austin, Texas

Dear Sir:

Opinion No. 0-3147  
Re: Whether Railroad Commission may issue a certificate to a common carrier motor carrier authorizing the handling of a limited number of commodities over irregular routes.

In your letter of January 28, 1941, you direct attention to our Opinion No. 0-2608, wherein we expressed the view that the Railroad Commission may not legally issue a certificate of convenience and necessity authorizing a common carrier motor carrier, handling all commodities, to operate over irregular routes, that is, routes which are not fixed and where the roads traveled and communities served may vary from time to time. You now request our advice as to whether that opinion is applicable to various applications for common carrier certificates which would authorize the transportation of certain designated commodities and nothing else. For illustration, you mention one which seeks authority to carry heavy road machinery only.

Article 911b, Vernon's Annotated Civil Statutes, governs the operation of common carrier motor carriers and provides for their regulation. The sections of that statute referred to in our Opinion No. 0-2608 are applicable to all common carrier motor carrier certificates and the applications therefor. The statute contains nothing upon which to draw a distinction between the situation involved in Opinion No. 0-2608 and the one which you inquire about. Said Opinion No. 0-2608 applies to your present question.

Yours very truly

APPROVED FEB 18, 1941

ATTORNEY GENERAL OF TEXAS

*Gerald C. Mann*

ATTORNEY GENERAL OF TEXAS

GRL:EP

By *Glenn R. Lewis*

Glenn R. Lewis  
Assistant Attorney General

APPROVED  
COMMITTEE

BY *Blotz*  
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